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10 Attorneys for Defendant
11 MARKEL AMERICAN INSURANCE COMPANY

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 LENSCRAFTERS, INC.; and EYEXAM OF
17 CALIFORNIA, INC.,

18 CASE No. CV-07-2853 SBA

19 Plaintiffs,
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22 vs.
23 LIBERTY MUTUAL FIRE INSURANCE
24 COMPANY; EXECUTIVE RISK
25 SPECIALTY INSURANCE COMPANY;
UNITED STATES FIRE INSURANCE
COMPANY; MARKEL AMERICAN
INSURANCE COMPANY; and
WESTCHESTER FIRE INSURANCE
COMPANY,

24 STIPULATION AND ORDER

25 Defendants.

26
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28 AND RELATED CROSS ACTIONS

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30 WHEREAS, on July 31, 2008, Defendant and Counter-Claimant United States Fire
31 Insurance Company (“U.S. Fire”) filed an Answer and Counterclaim responding to the
32 Counterclaim of Defendant and Counter-Claimant Markel American Insurance Company
33 (“Markel”);

34 WHEREAS, Markel’s response to U.S. Fire’s Counterclaim was due on August 20, 2008
35 and extended to September 19, 2008 by stipulation between the parties and ordered by this
36 Court; and

1 WHEREAS Markel has requested and U.S. Fire has agreed to another extension of time
2 for Markel to respond to the Counterclaim;

3 THEREFORE, Markel and U.S. Fire stipulate and request that this Court order that the
4 time for Markel to respond to U.S. Fire's Counterclaim is extended to October 17, 2008.

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6 Dated: September 17, 2008

LONG & LEVIT LLP

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8 By /s/

9 IRENE K. YESOWITCH
10 Attorneys for Defendant,
11 MARKEL AMERICAN
12 INSURANCE COMPANY

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14 Dated: September 17, 2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

15 By /s/

16 ANDREW L. CHANG
17 Attorneys for Defendant and Counter-
18 Claimant UNITED STATES FIRE
19 INSURANCE COMPANY

20 IT IS SO ORDERED

21
22 DATED: 10/7/08


23 HON. SAUNDRA BROWN ARMSTRONG
24 United States District Court Judge

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26 DOCS\S6560-015\554225.V1